

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GIOVANNI BARRICELLI, INDIVIDUALLY)
AND ON BEHALF OF ALL OTHER)
SIMILARLY SITUATED CURRENT AND)
FORMER EMPLOYEES,) Case No. 3:19-cv-00136
Plaintiff,) Chief Judge Crenshaw
v.) Magistrate Judge Newbern
ST LOGISTICS, LLC, D/B/A SOLDIER) FLSA Opt-in Collective Action
DELIVERY, A WISCONSIN LIMITED) JURY DEMANDED
LIABILITY COMPANY, AND TRAVIS)
SMITH, INDIVIDUALLY,)
Defendants.)

PLAINTIFF'S MOTION FOR CONDITIONAL CERTIFICATION

Comes now Plaintiff, through counsel, and moves this Court to issue an Order: (1) authorizing this case to proceed as a collective action against Defendants ST Logistics, LLC d/b/a Soldier Delivery and Travis Smith (collectively “Defendants”) for violations of the Fair Labor Standards Act’s (“FLSA”) overtime compensation provisions, 29 U.S.C. § 216(b); (2) directing Defendants to immediately provide a list of names, last known addresses, last known email addresses, and last known telephone numbers for all putative class members within the last three years; (3) providing that notice be prominently posted at each of Defendants’ delivery facilities/hubs in the United States where putative class members work, be attached to its current delivery drivers’ next scheduled pay check, and be mailed and emailed to putative class members so each can assert their claims on a timely basis; (4) issue an Order tolling the statute of limitations for the putative class as of the date this motion is fully briefed; (5) authorizing a reminder postcard be issued mid-way through the 90-day notice period; and (6) requiring that the opt in plaintiffs’

Consent Forms be deemed “filed” on the date they are postmarked. A memorandum of law setting forth the grounds for this motion is filed contemporaneously herewith.

Dated: December 20, 2019.

s/ Robert E. Turner, IV

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Attorneys for Named Plaintiff and similarly situated current and former employees

CERTIFICATE OF SERVICE

I hereby certify that on this the 20th day of December, 2019, the foregoing Motion was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

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s/ Robert E. Turner, IV